

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 63609

Roy Cervantes

2125 Jasmine Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 5, 2009, for a Hearing on a citation for violations of the Baltimore County Code Zoning Regulations (BCZR) section 1B01.1D, failure to remove couches from the rear yard on residential property known as 2125 Jasmine Road, 21222.

On July 13, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Buc Thompsen issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 30, 2009 for removal of open dump/junk yard, and removal of furniture from yard. This Citation was issued on July 13, 2009.

B. Photographs in the file show two old couches in the back yard of this row townhouse. This violates prohibitions against the accumulation of junk and debris on residential property, and creates impermissible rat harborage. The property appears vacant and notes in the file from 2007 state that Respondent Roy Cervantes is deceased. The property is in foreclosure proceedings.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that the County may enter the property for the purpose of removing junk, trash and debris, at the property owner's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 10th day of August 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer